

90th Legislative Session – 2015

Committee: Senate Judiciary

Thursday, February 26, 2015

P - Present
E - Excused
A - Absent

Roll Call

P Bradford
P Heinert
P Monroe
P Rusch
P Vehle
P Novstrup (David), Vice-Chair
P Tieszen, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Craig Tieszen, Chair.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 24, 2015

Moved by: Monroe
Second by: Vehle
Action: Prevailed by voice vote.

MOTION: SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF MYRON
 L. RAU OF MINNEHAHA COUNTY, SIOUX FALLS, SOUTH DAKOTA, TO
 THE BOARD OF PARDONS AND PAROLES

Presented by: Attorney General Marty Jackley

Moved by: Novstrup (David)
Second by: Vehle
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Bradford, Monroe, Rusch, Vehle, Novstrup (David), Tieszen

Excused: Heinert

MOTION: PLACE REAPPOINTMENT ON CONSENT CALENDAR

Moved by: Novstrup (David)

Second by: Monroe

Action: Prevailed by voice vote.

MOTION: SENATE ADVISE AND CONSENT TO THE REAPPOINTMENT OF KRISTA HEEREN-GRABER OF HUTCHINSON COUNTY, FREEMAN, SOUTH DAKOTA, TO THE SOUTH DAKOTA INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION

Presented by: Attorney General Marty Jackley

Moved by: Monroe

Second by: Rusch

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Bradford, Monroe, Rusch, Vehle, Novstrup (David), Tieszen

Excused: Heinert

MOTION: PLACE REAPPOINTMENT ON CONSENT CALENDAR

Moved by: Rusch

Second by: Monroe

Action: Prevailed by voice vote.

HB 1134: revise certain provisions concerning the expungement of arrest records.

Presented by: Senator Arthur Rusch (Handout: #1)

Proponents: Representative Dan Kaiser

Lindsey Riter-Rapp, SD Association of Criminal Defense Lawyers

Roger Tellinghuisen, SD Trial Lawyers Association

Opponents: Paul Bachand, SD State's Attorneys Association

Michael Moore, Beadle County States Attorney, self

Marty Jackley, Attorney General

MOTION: DO PASS HB 1134

Moved by: Novstrup (David)

Second by: Heinert
Action: Prevailed by roll call vote. (5-2-0-0)

Voting Yes: Bradford, Heinert, Rusch, Novstrup (David), Tieszen

Voting No: Monroe, Vehle

HB 1073: require a sex offender to report a change in vehicle status to law enforcement.

Presented by: Representative Dan Kaiser
Proponents: Norman Woods, Family Heritage Alliance Action

MOTION: DO PASS HB 1073

Moved by: Monroe
Second by: Novstrup (David)
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Bradford, Heinert, Monroe, Rusch, Vehle, Novstrup (David), Tieszen

HB 1129: revise the property exempt from process in bankruptcy cases.

Presented by: Representative Steve Hickey
Proponents: Jim Craig, Sioux Falls, self (Handout: #2)
Opponents: Forrest Alred, Aberdeen, self (Handouts: # 3, #4, #5)
Drew Duncan, South Dakota Collectors Association
Brett Koenecke, South Dakota Bankers Association
Justin Smith, AAA Collections, Inc.
David Owen, South Dakota Chamber Of Commerce & Industry
Lee Ann Pierce, Brookings, self

MOTION: DEFER HB 1129 TO THE 41ST LEGISLATIVE DAY

Moved by: Novstrup (David)
Second by: Vehle
Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Monroe, Vehle, Novstrup (David), Tieszen

Voting No: Bradford, Heinert, Rusch

HB 1128: protect certain homestead exemption interests during sale of homestead or

separation of owners.

Presented by: Representative Steve Hickey
Proponents: Jim Craig, Sioux Falls, self
Opponents: Drew Duncan, South Dakota Collectors Association
Lee Ann Pierce, Brookings, self

MOTION: DO PASS HB 1128

Moved by: Rusch
Second by: Monroe
Action: Prevailed by roll call vote. (5-2-0-0)

Voting Yes: Bradford, Heinert, Monroe, Rusch, Tieszen

Voting No: Vehle, Novstrup (David)

MOTION: ADJOURN

Moved by: Novstrup (David)
Second by: Vehle
Action: Prevailed by voice vote.

Rena Ortbahn
Committee Secretary

Craig Tieszen, Chair